STATE OF SOUTH DAKOTA

OFFICE OF THE GOVERNOR

KRISTI NOEM | GOVERNOR

March 12, 2020

The Honorable Steven G. Haugaard
Speaker of the House
500 East Capitol Avenue
Pierre, South Dakota 57501

Dear Mr. Speaker and Members of the House of Representatives,

I respectfully return to you House Bill 1013, with my VETO. House Bill 1013 is An Act to correct technical errors in statutory cross-references.

House Bill 1013 and its companion, House Bill 1012, were both pitched as attempts to correct statutory cross-references and to make style-and-form corrections to the code. I certainly support that aim. However, I am very concerned about the process that led to these bills.

House Bill 1013 is much shorter than House Bill 1012 and, as it was introduced, amends sections of statute that affect agencies such as the Department of Revenue, the Department of Labor and Regulation, and the Department of Education. Despite that, no one in either of these agencies – none of the experts who work with these laws every day – were consulted prior to the bill's introduction on January 14.

For that reason, in the first committee two amendments were adopted to correct errors in this legislation. This could have been avoided if the drafters of this bill had consulted with interested stakeholders during the past year as it was being drafted.

Finally, as adopted, House Bill 1013 amends 26 sections of code that in no way relate to each other. Article III, Section 21 of the Constitution of South Dakota states that "No law shall embrace more than one subject, which shall be expressed in its title." The only "one subject" I can discern in this bill is "to revise the code," which is a subject so broad as to render the constitutional requirement meaningless.

If this effort to clean up the code continues, I ask that separate clean-up bills be brought for each related chapter of code, and that relevant state agencies and other stakeholders be included in the drafting process prior to introduction.

For these reasons I object to House Bill 1013, and I ask that you sustain my veto.

Respectfully submitted,

Kristi Noem
Governor

cc: The Honorable Steven Barnett
The Honorable Larry Rhoden